THE HON'BLE SRI JUSTICE A.GOPAL REDDY

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION No.22336 of 2007

Dated: 05.11.2007

Between:

Chokkara Kamamma

... PETITIONER

AND

1. The Station House Officer,
   Jagampet Police Station,
   Srikakulam District and another.

...RESPONDENTS

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION No.22336 of 2007

ORDER: (***Per the Hon'ble Sri Justice A.Gopal Reddy***)

This writ petition is taken up on the basis of the telegram, dated 15.10.2007, sent by the petitioner to the Hon'ble Chief Justice alleging that her son namely Chokkara Sriramulu @ Naganna is illegally detained by the police, Jaggampet, Srikakulam District since 11.10.2007 and that she is apprehending danger to his life.

In response to the notice issued, the first respondent filed a counter-affidavit along with First Information Report in Crime No.154 of 2007, case diary and charge sheet.

A perusal of the counter-affidavit discloses that on the intervening night of 14/15.10.2007 when the Sub Inspector of Police along with his staff was on night patrolling duty in Jaggampeta, J-Kothuru and Rajapudi Villages and while moving near Krishnavei theatre center, Jaggampeta Village, he noticed one person (alleged detenu) lurking at the shade of a Pan Shop under suspicious circumstances. When the alleged detenu tried to skulk away from the spot, the police chased and caught hold of him, and on questioning, he disclosed his identity as Chokkara Sriramulu. Since the alleged detenu refused to furnish information for his moving under suspicious circumstances, he was taken into custody. On registering the crime, the alleged detenu was produced before the Mandal Executive

Magistrate, Jaggampeta along with the occurrence report. The Mandal Executive Magistrate treated the same as M.C.No.19 of 2007 and passed orders binding over the alleged detenu to keep good behaviour for a period of one year and released him on executing a self-bond for Rs.10,000/-. The illegal detention of the alleged detenu as alleged in the telegram is denied.

The registration of crime and the order passed by the Mandal Executive Magistrate in the said M.C binding over the alleged detenu to keep good behaviour, clearly disclose that the alleged detenu was not illegally detained by the police and that the telegram was issued on misconception.

The writ petition is accordingly dismissed.

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A.GOPAL REDDY, J

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P.SWAROOP REDDY, J

Date: 05.11.2007

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